

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**PROOF OF SUMMONS**

Mark N. Fellenz  
PLAINTIFF

V.

Enkata Technologies  
DEFENDANT

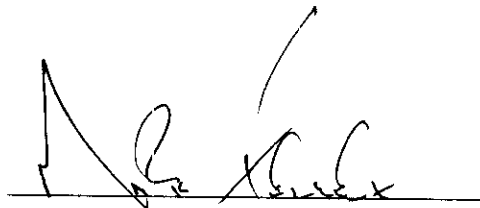
CIVAL ACTION

NO. 04•10563 PBS

**FILING**

1. Mark Fellenz ("Plaintiff") hereby files the attached as proof that Summons was executed against Enkata Technologies ("Defendant") on December 7, 2004. Summons was accompanied by the original Complaint and first Amendment as ordered. Defendant, thereby, has by the terms of the Summons until the close of business December 27, 2004, twenty (20) days from the day summons was executed (exclusive of the day of service), to respond or face default judgment for the relief demanded in the Complaint.

Signature



Name

MARK FELLEENZ, PRO SE

Address

95 LANGLEY ROAD #1  
NEWTON CENTER, MA 02459

Telephone

857-205-5742 (cellular)

|  |  |               |       |                    |                              |
|--|--|---------------|-------|--------------------|------------------------------|
| Attorney or Party without Attorney:<br>FELLEENZ, MARK N.<br>MARK N. FELLEENZ<br>95 LANGLEY ROAD #1<br>NEWTON, MA 02459<br>Telephone No: 857-205-5742 |  |               |       | For Court Use Only |                              |
| Attorney for: Plaintiff  |  |               |       |                    |                              |
| Insert name of Court, and Judicial District and Branch Court:<br>United States District Court Of The District Of Massachusetts                       |  |               |       |                    |                              |
| Plaintiff: MARK N. FELLEENZ<br>Defendant: ENKATA TECHNOLOGIES  |  |               |       |                    |                              |
| <b>PROOF OF SERVICE<br/>SUMMONS CIVIL/CASE</b>   |  | Hearing Date: | Time: | Dept/Div:          | Case Number:<br>04-10563-PBS |

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the SUMMONS IN A CIVIL CASE; COMPLAINT; AMMENDMENT

3. a. Party served: ENKATA TECHNOLOGIES BY SERVING  
 b. Person served: SAMUEL HAGEMAN, CONTROLLER-AUTHORIZED TO ACCEPT(White Male 50 Years Old, White Hair, Glasses Eyes, 5 Feet 9 Inches, Medium Build)

4. Address where the party was served: 2121 SO. EL CAMINO REAL SUITE 1200  
 SAN MATEO, CA 94403

5. I served the party:  
 a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Tue., Dec. 07, 2004 (2) at: 6:00PM

7. **Person Who Served Papers:**

a. KATHLEEN KING

Recoverable Cost Per CCP 1033.5(a)(4)(B)

d. **The Fee for Service was:**

e. I am: (3) registered California process server

- (i) Employee
- (ii) Registration No.: 2004-0000849
- (iii) County: San Francisco
- (iv) Expiration Date: Wed, Feb. 01, 2006



1541 Bayshore Hwy. GENERAL@AALEGALSERVICE.COM  
 Burlingame, CA 94010-1602 Fax (650) 697-4640  
 (650) 697-9431

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Wed, Dec. 08, 2004

(KATHLEEN KING)